

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 - - -

4 IN RE: TERRORIST ATTACKS : 03-MDL-1570
5 ON SEPTEMBER 11, 2001 : (GBD)(SN)
6
7 - - -

8 APRIL 27, 2021
9 THIS TRANSCRIPT CONTAINS
10 CONFIDENTIAL MATERIAL
11 - - -

12 Remote Videotaped
13 Deposition, taken via Zoom, of JOHN
14 SIDEL, commencing at 7:02a.m., on the
15 above date, before Amanda
16 Maslynsky-Miller, Certified Realtime
17 Reporter and Notary Public in and for the
18 Commonwealth of Pennsylvania.

19

20 - - -

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24

1 be awarded the degree. But I wasn't
2 formally awarded the degree until January
3 1995. So I was already in the post as of
4 September 1994.

5 Q. And am I correct that you
6 remained at the University of London with
7 the School of Oriental and African
8 Studies from 1994 to 2004?

9 A. Yes, correct.

10 Q. And in 2004, you took a
11 position at the London School of
12 Economics and Politics, correct?

13 A. Yes.

14 Q. And you remain with the
15 London School of Economics as of today?

16 A. Yes.

17 Q. Within Section 3 of your
18 report, beginning on Page 4, you include
19 some narrative concerning your relevant
20 qualifications for this matter.

21 Do you see that section of
22 your report?

23 A. Yes.

24 Q. I'd just like to review a

1 few of the data points that you discuss
2 in that section of your report.

9 Do you see that section?

10 A. Yes.

11 Q. And am I correct that in
12 connection with that research, you spent
13 a good bit of time in the Philippines
14 doing fieldwork?

15 A. Yes.

16 Q. And I believe you estimate
17 that, in total, your fieldwork in the
18 Philippines during this period covered
19 probably a few years; is that correct?

20 A. Yes, correct.

21 Q. During that time period when
22 you were doing fieldwork in the 1980s and
23 early to mid 1990s, did you have occasion
24 to conduct interviews of any members of

1 the Moro Islamic Liberation Front?

2 A. Not at that time, no.

3 Q. And during that time, did
4 you have occasion to interview any
5 members of the Abu Sayyaf Group?

6 A. No, that would have been
7 very dangerous. I did travel to Basilan
8 during that period a few times, perhaps,
9 in retrospect, ill-advisedly. But I
10 never met with someone from the Abu
11 Sayyaf Group, as far as I know.

12 Q. And have you ever
13 interviewed any member or former member
14 of the Abu Sayyaf Group?

15 A. No. Not to my knowledge,
16 no.

17 Q. I've seen accounts in some
18 publications regarding interviews
19 conducted by researchers or journalists
20 of an Abu Sayyaf member named Noor Muog.

21 Are you familiar with that
22 individual?

23 A. No, I am not.

24 Q. And so I gather from that

1 you have never had an opportunity to
2 interview Noor Muog?

3 A. No.

4 Q. And I gather from that you
5 have also not had an opportunity to
6 review any of the accounts of interviews
7 of Noor Muog; is that correct?

8 A. That's correct.

9 Q. And based on the timeline of
10 this period of fieldwork that you were
11 conducting, am I correct that you did not
12 interview any members of Jemaah Islamiyah
13 during this time period?

14 A. That's true as well. I was
15 in Indonesia later, but I did not
16 interview anyone affiliated with Jemaah
17 Islamiyah either, no.

18 Q. Later in your report, in
19 Paragraph 21, you indicate that you have
20 taken additional trips to the Philippines
21 since 2012; is that correct?

22 A. Yes.

23 Q. And between the fieldwork
24 you did in the late 1980s into the early

1 process in the Southern Philippines.

2 Q. I think, Professor, that my
3 question may have been a bit confusing.

4 Am I correct that the work
5 you did on behalf of The Asia Foundation
6 and the trips you just described were
7 conducted after 2012?

8 A. Yeah.

9 Q. My question was a bit
10 different, and I apologize for the
11 confusion.

12 Did you visit the
13 Philippines at all between the mid '90s,
14 when you completed your fieldwork in that
15 phase, and 2012 when you began your work
16 for The Asia Foundation?

17 A. I'm sorry, I think the fault
18 is mine. I didn't hear the question
19 properly.

20 The last time I was in the
21 Philippines before 2012 was in very early
22 2001. So I missed a whole decade in the
23 Philippines between 2001 and 2012.

24 Q. And how frequently were you

1 in the Philippines between the completion
2 of your fieldwork for your Ph.D. in the
3 mid '90s and 2001?

4 A. I was there probably a
5 couple times -- I want to say a couple
6 times each year. But probably I was
7 there every year for a matter of weeks.

8 And when I lived in
9 Indonesia in 1997, 1998, the visa
10 restrictions on my stay in Indonesia
11 meant that I regularly exited Indonesia
12 and went back to the Philippines to, you
13 know, to visit. I observed the elections
14 in May of 1998, for example.

15 So there were a couple of
16 visits then as well. But otherwise it
17 was, you know, just brief visits once a
18 year, I believe.

19 Q. And with regard to the
20 visits during that time period, did your
21 work continue to focus on local politics,
22 corruption, criminality, conflict and
23 violence in the Philippines?

24 A. Yeah. I guess I should also

1 Q. In connection with the
2 research you've done in the Philippines
3 and Indonesia, have you come across
4 information pertaining to the work of the
5 Muslim World League in those countries?

6 A. Very minimally. There were
7 references and information and common
8 knowledge of the affiliation of a group
9 known as -- Islamia Indonesia, the Muslim
10 World League and a broader set of kind of
11 linkages that the Muslim World League
12 thus enabled and encouraged in Indonesia.

13 Q. In Paragraph 53 of your
14 report, you make reference to the
15 involvement of the Muslim World League in
16 seeking to unite factions in the
17 Philippines as part of political
18 processes that were ongoing in 1987; is
19 that correct?

20 A. Yes. There's the so-called
21 Jeddah Accord in 1987, obviously signed
22 in Jeddah, between the Philippine
23 government and the Moro National
24 Liberation Front. And I believe that

1 the -- both the Muslim World League and
2 the organization of the Islamic
3 conference were involved in facilitating
4 the negotiations that led to the signing
5 of that agreement.

6 Q. Is it your understanding
7 that the Muslim World League was
8 politically active within the
9 Philippines?

10 MR. NASSAR: Objection.

11 Vague.

12 THE WITNESS: I have no
13 other awareness of the Muslim
14 World League's involvement in the
15 Philippines whatsoever as such, in
16 terms of politics or otherwise in
17 the Philippines.

18 And, in fact, in terms of
19 the Jeddah Accord, what's usually
20 noted and kind of -- what's the
21 word -- prioritized, is the OIC
22 rather than the Muslim World
23 League, in terms of the very
24 general account of Saudi

1 sponsorship of the negotiations.

2 BY MR. CARTER:

3 Q. So your familiarity with the
4 Muslim World League's engagements in the
5 Philippines relating to the Moro National
6 Liberation Front and the MILF is
7 essentially limited to what you describe
8 in Paragraph 3 of your report?

9 A. Yes. And, I mean, I've been
10 shown documents. There's nothing that
11 comes to mind that I recall of any
12 significance, in terms of the Muslim
13 World League's activities and presence in
14 the Philippines.

15 Q. And before taking on a role
16 as an expert in this case, did you come
17 across any information relating to the
18 IIRO's alleged role in supporting Abu
19 Sayyaf Group in the Philippines?

20 A. Well, yes, insofar as the
21 same story that has been recycled and
22 re -- sort of reiterated over the years,
23 many years ago, this idea that the IIRO
24 office, in the early 1990s, under the

1 leadership of Mohamed Jamal Khalifa had
2 supposedly provided money to the early
3 version of the Abu Sayyaf.

4 Q. And prior to your work as an
5 expert on this case, did you come across
6 information regarding the IIRO's alleged
7 role in providing support to Jemaah
8 Islamiyah?

9 A. No, no.

10 Q. And prior to your work on
11 this case, had you come across any
12 information relating to the IIRO's
13 alleged role in providing funding or
14 other support to the Moro Islamic
15 Liberation Front?

16 A. I had never heard anything
17 like that, no.

18 Q. Are you aware that the IIRO
19 branches in the Philippines and Indonesia
20 were designated by the United States
21 government, in 2006, based on
22 representations by the U.S. government
23 that they were involved in providing
24 support to Abu Sayyaf Group and the

1 Moro Islamic -- I'm sorry, Abu Sayyaf
2 Group and Jemaah Islamiyah?

3 A. Yes.

4 Q. When is the first time you
5 became aware of those facts?

6 A. If I was aware of those
7 facts prior to this case, it was, you
8 know, very subliminal, nothing that
9 stayed with me.

10 So when this was drawn to my
11 attention in the course of this --
12 preparations for this case, I -- it might
13 as well have been my first time. It's
14 the first time I read the actual press
15 release, for example. So it's not
16 something that I had paid any attention
17 to before.

18 It probably wasn't -- it
19 wasn't really something that would have,
20 you know, attracted my attention at the
21 time.

22 Q. So in the work that you've
23 done prior to being an expert in this
24 case, you weren't significantly concerned

1 with sources of external support for Abu
2 Sayyaf Group or Jemaah Islamiyah?

3 MR. NASSAR: Objection.

4 Form.

5 THE WITNESS: Does that
6 objection mean I --

7 MR. NASSAR: You can answer.

8 THE WITNESS: I can answer.

9 MR. NASSAR: If you
10 understand the question.

11 THE WITNESS: Yeah.

12 I was aware of allegations
13 of -- and -- of different kinds, I
14 think, of kind of, you know,
15 direct forms of support and
16 encouragement. And I was
17 certainly aware, by this time, of
18 claims that the Abu Sayyaf Group,
19 the Jemaah Islamiyah Network, and
20 even the MILF, had been accused of
21 having some kinds of links and
22 receiving some kind of financial
23 support from al-Qaeda.

24 This kind of thing was very

1 much in the press and in certain
2 kinds of more specialized
3 reportage on Southeast Asia and on
4 these organizations. It was
5 there.

6 So in terms of al-Qaeda,
7 yes.

8 BY MR. CARTER:

9 Q. And did you conduct any
10 independent research, prior to serving as
11 an expert in this case, concerning those
12 allegations?

13 A. No. No, I'm not sure how I
14 would have done so.

15 Q. Professor Sidel, as I
16 understand the description of your
17 qualifications, you are an expert on
18 Southeast Asia and political conditions
19 and violence in the Philippines and
20 Indonesia; is that correct?

21 A. Yes.

22 Q. Do you consider yourself an
23 expert on al-Qaeda?

24 A. No.

1 Q. Do you consider yourself an
2 expert on terrorist financing?

3 A. No.

4 Q. Do you consider yourself an
5 expert on the role of charitable
6 organizations in facilitating the funding
7 of terrorism?

8 A. No.

9 Q. Do you consider yourself an
10 expert on the operational requirements
11 for sophisticated terrorist attacks?

12 A. No.

13 Q. Do you consider yourself an
14 expert on al-Qaeda's global strategy?

15 A. No. I think, as with
16 al-Qaeda in general, I think I'm fairly
17 well versed in the secondary literature.
18 So I would qualify my earlier comment in
19 that regard.

20 But in terms of my own
21 expertise or my own empirical research or
22 analysis or interest, no.

23 Q. In reviewing the listing of
24 materials you considered for purposes of

1 your expert opinions in this case, I did
2 not see any reference to the final report
3 of the 9/11 Commission.

4 Am I correct that that was
5 not among the materials that you
6 considered?

7 A. Yes.

8 Q. So you did not consider
9 the -- you did not consider the 9/11
10 report?

11 A. I did not review it in
12 connection with the writing of my expert
13 report, no.

14 Q. Have you ever read the final
15 report of the 9/11 Commission in full?

16 A. I've read -- not in full.
17 I've read parts of it.

18 Q. Professor Sidel, we
19 discussed a minute ago your period of
20 tenure at the School of Oriental and
21 African Studies at the University of
22 London.

23 Do you recall that?

24 A. Yes.

1 Q. Returning just for a moment
2 to the qualifications section of your
3 report, I think you mentioned that you
4 spent some time in Indonesia in 1997 and
5 1998?

6 A. Yes.

7 Q. And during that period, did
8 you have an opportunity to interview any
9 members of Jemaah Islamiyah?

10 A. Not to my knowledge, no.

11 Q. And have you ever had an
12 opportunity to interview any members of
13 Jemaah Islamiyah?

14 A. Not to my knowledge, no.

15 Q. In Paragraph 22 of your
16 report, you mention that you've conducted
17 interviews with a wide range of
18 individuals involved in the conflict in
19 the Philippines, including senior members
20 of the Moro Islamic Liberation Front.

21 Do you see that reference?

22 A. Yes.

23 Q. Who were those
24 representatives of the Moro Islamic

1 Liberation Front?

2 A. Well, the one whom I
3 remember best was a senior figure named
4 Hadj Murad, whom I had a lavish buffet
5 breakfast with at a fancy hotel in
6 Manila. So he's the one who I remember.
7 I'm not sure -- I can't remember other
8 figures, although he was not alone at the
9 time.

10 Q. During what period was that?

11 A. That was during the period
12 when the ceasefire was in place and the
13 negotiations were ongoing. But the -- it
14 was between 2013 and 2016, I think.

15 Q. And do you know when he
16 became active in the Moro Islamic
17 Liberation Front?

18 A. No, I don't have his
19 biographical details to hand or in my
20 memory.

21 Q. Did you discuss with him at
22 all the activities of the Moro Islamic
23 Liberation Front in the period before
24 9/11?

1 A. No.

2 Q. Have you interviewed any
3 members of the Moro Islamic Liberation
4 Front concerning the organization's
5 activities in the period before 9/11?

6 A. No.

7 Q. Professor Sidel, we've been
8 talking about several organizations
9 referenced in your report, and I'd like
10 to just provide some context.

11 The first is the Abu Sayyaf
12 Group. In your words, can you tell me
13 what Abu Sayyaf Group is?

14 A. The Abu Sayyaf Group is a
15 term that refers to a small shadowy and
16 seemingly ill-defined set of individuals
17 based in the islands of Basilan and Sulu
18 Provinces in the Sulu archipelago in the
19 southern Philippines, individuals whose
20 numbers, as a group, are said to have
21 never exceeded a few hundred.

22 It's a group whose
23 leadership and organization appears to be
24 highly personalistic and ill-defined.

1 memory or understanding on the
2 basis of which to make any kind of
3 informed answer to that question.

4 BY MR. CARTER:

5 Q. Professor, turning to the
6 next paragraph, the 9/11 Commission
7 indicates that within the context of this
8 alliance building, bin Laden provided
9 equipment and training, assistance to the
10 Moro Islamic Liberation Front in the
11 Philippines and also to a newly forming
12 Philippine group that called itself the
13 Abu Sayyaf brigade, after one of the
14 major jihadist commanders.

15 Do you see that statement?

16 A. Yes, uh-huh.

17 Q. Do you agree with that
18 statement?

19 MR. NASSAR: Objection.

20 Form.

1 those sorts of claims.

2 And, also, I haven't seen
3 any credible evidence of
4 equipment -- equipment to the
5 MILF. There appears to be a
6 history of MILF training in camps
7 in Afghanistan during the 1980s
8 and the 1990s.

9 And the support for the Abu
10 Sayyaf Group, I mean, I wonder
11 what that refers to in terms of
12 support. So I would like to see
13 the footnote before I could -- you
14 know, these are the kinds of
15 claims that we see recycled in a
16 variety of different publications,
17 including ones by, you know, U.S.
18 government, the United Nations,
19 you know, Time Magazine. These
20 are -- these things are recycled
21 and repeated.

22 But in terms of the
23 evidentiary basis, I always
24 wonder, you know, what it is.

1 al-Qaeda's pattern of expansion through
2 building alliances.

3 Do you see that language?

4 A. Yes.

5 Q. Do you agree that during
6 this period, al-Qaeda was pursuing a
7 pattern of expansion through building
8 alliances?

9 MR. NASSAR: Objection.

10 Scope.

11 THE WITNESS: Yeah, I don't
12 really know. You know, this --
13 I'm not sure about this
14 interpretation. I'm not qualified
15 to really comment on it, I don't
16 think.

17 BY MR. CARTER:

18 Q. I'd like to show you, as the
19 next exhibit, a document that begins at
20 FED-PEC237854.

21 - - -

22 (Whereupon, Exhibit
23 Sidel-601, FED-PEC0237854-7873,
24 RAND Corporation Testimony, was

1 credulous with regard to Philippine
2 government sources.

3 But I have huge respect for
4 what she has tried to do as a -- what
5 would you say, a media entrepreneur in
6 the Philippines due to the creation of
7 the Rappler website and its courageous
8 efforts to provide independent reportage
9 under very difficult conditions in the
10 Philippines.

11 I'm not a big believer in
12 her earlier reportage and her account. I
13 don't see her as having the genuine local
14 expertise and/or, really, at that time,
15 the critical kind of questioning approach
16 that some other similar seasoned
17 investigative reporters in the
18 Philippines had that she did not have as
19 a matter of course. She did not have the
20 experience that her more senior
21 colleagues did at the time.

22 Q. In Footnote 47 of your
23 report, you describe the narrative in
24 Pages 18 through 44 of her book Seeds of

¹ Terror as the most detailed published
² account of the Bojinka plot.

3 Is that your opinion?

4 A. Yes. It's the lengthiest
5 available written account of that episode
6 that I have come across.

7 Q. And do you view it as
8 credible?

9 A. In what it's reporting, I
10 think it is a credible account of what
11 she knows and what is generally known
12 about that from the outside.

13 Q. I'd like to turn your
14 attention to portions of that section of
15 Maria Ressa's book beginning on Page 27.

16 MR. CARTER: It's Number 28
17 in the folder.

18 — — —

19 (Whereupon, Exhibit
20 Sidel-604, No Bates, Seeds of
21 Terror, Maria Ressa, was marked
22 for identification.)

23 — — —

24 MR NASSAR: Professor

1 Do you view Maria Ressa's
2 account of those facts to be credible?

3 A. They raise questions. I
4 don't recall reading this bit, and I'd
5 love to see the footnotes. If you gave
6 me time, I could look at the footnotes.

7 But I think it seems kind of
8 strange to me.

9 Q. Well --

10 A. This is what I was referring
11 to earlier, in terms of my concern that
12 her -- this phase of her career and this
13 piece of work is overly sensationalist
14 and credulous with regard to available
15 sources.

16 Q. Well, I'm asking you about
17 this section in particular because it's
18 squarely within Pages 18 through 44 that
19 you cited in your report as one of the
20 authorities upon which you were relying.

21 So --

22 A. On the Bojinka -- on the
23 Bojinka plot.

24 O. Yes.

1 sponsorship and support and involvement
2 that have nothing to do with this kind
3 of -- this kind of alleged affiliation.

4 Q. But you don't have any
5 specific information that would lead you
6 to conclude that the account Maria Ressa
7 provides in her book is wrong?

8 A. I have specific information
9 that would lead me to be suspicious of
10 this kind of -- of taking this kind of
11 account at face value, yes.

12 But I do not have any
13 specific information of what was going on
14 in Basilan in December of 1991.

15 Q. In the next paragraph, Maria
16 Ressa indicates that, About a month
17 later, Khalifa met with Janjalani at the
18 Abu Sayyaf camp in Basilan. Wali Shah
19 and Ramzi Yousef came with him, and,
20 again, money was delivered to the Abu
21 Sayyaf.

22 She goes on to say that
23 Khalifa gave a little over \$6,000 for two
24 operations, to assassinate an Italian

1 missionary and to plant a bomb at the
2 Basilan public market.

3 Again, do you have any
4 specific information indicating that this
5 account from the book you cite in your
6 report is inaccurate?

7 A. No.

8 Q. And was an assassination, in
9 fact, conducted of an Italian missionary
10 named Father Salvatore Carzedda during
11 this time period?

12 A. I believe so. That rings a
13 faint bell. I think that's correct.

14 Q. And was there a bombing at
15 the Basilan public market during this
16 time period?

17 A. I don't recall, but that
18 stands to reason.

19 Q. And going down to the next
20 paragraph, it describes another meeting
21 between Khalifa and Abu Sayyaf during
22 which he convinced them to create an
23 urban guerrilla squad.

24 Do you know whether Abu

1 Sayyaf did, in fact, create an urban
2 guerrilla squad?

3 A. No, I'm not sure that they
4 did. I don't recall guerrilla squads in
5 Zamboanga City along those lines, armed
6 guerrilla groups in Zamboanga City, no.

7 Q. Was there a bombing on
8 August 28th of that year involving a
9 grenade being thrown at Fort Pilar?

10 A. There may have -- well have
11 been. I assume that all of these things
12 are being cited by Maria Ressa after they
13 happened.

14 Q. And then down in the next
15 paragraph, it said, Later, other al-Qaeda
16 operatives would help in the training of
17 Abu Sayyaf.

18 And it refers to training in
19 1995 at camps run by Abu Sayyaf.

20 Again, do you have any
21 information that would indicate to you
22 that no such training happened?

23 A. I have no specific
24 information that contradicts this.

1 chapter of her book.

2 Turning for a moment,

3 there's a reference there to Ramzi Yousef
4 and Wali Khan Amin Shah.

5 Did you see that a moment
6 ago?

7 A. Yes, I did.

8 Q. And who is Ramzi Yousef?

9 A. Ramzi Yousef was, what, the
10 nephew of Khalid Sheikh Mohamed, a man
11 crucially involved in the World Trade
12 Center bombing and so forth.

13 Q. You're referring to the
14 World Trade Center bombing of 1993,
15 correct?

16 A. Uh-huh.

17 Q. And he was also a principal
18 planner of the so-called Bojinka plots?

19 A. He was implicated in that,
20 yes.

21 Q. And just so we're using the
22 same terminology, I've seen commentators
23 use the term "Bojinka" to refer to a
24 collection of plots that were being

1 developed by Yousef in the Philippines
2 during that period; that included a plot
3 to assassinate President Clinton, a plot
4 to assassinate the Pope and a plot to
5 detonate multiple aircraft in flight.
6 And I've elsewhere seen people refer to
7 Bojinka as just the plot to blow up
8 multiple planes in flight.

12 A. I think I'm referring to the
13 eleven airplanes plot. I think that's
14 what seems to be -- my impression, if I
15 remember, is that once the conspirators
16 were discovered, that on their laptops
17 and in interrogations these other plots
18 were revealed.

19 So they could all be lumped
20 together, as you're suggesting, or it
21 could be referring to the 11 -- blow up
22 the 11 airplanes plot more specifically.
23 I don't know.

24 Q. Do you know whether Ramzi

1 Yousef had a personal relationship with
2 Abdurajak Janjalani?

3 A. No.

4 Q. You don't know, or he did
5 not?

6 A. I don't know.

7 Q. Maria Ressa indicates, on
8 Page 26 of her book, that Yousef was with
9 Janjalani in 1999 during the period that
10 Janjalani was forming Abu Sayyaf Group.

11 You don't have any
12 information concerning that issue, do
13 you?

14 MR. NASSAR: Objection.

15 Sean, you said 1999? Did you
16 mean --

17 MR. CARTER: 1991.

18 MR. NASSAR: '91, sorry.

19 THE WITNESS: What's the
20 question? Do I have any
21 information on that?

22 BY MR. CARTER:

23 Q. Yes.

24 Do you have any information

1 about the possibility that Yousef --
2 Ramzi Yousef was in Basilan in 1991 with
3 Abdurajak Janjalani?

4 A. No.

5 Q. And you don't know whether,
6 during the years that ensued, Yousef
7 maintained a relationship with Janjalani?

8 A. No.

9 Q. Maria Ressa says, in this
10 section of her book, that Yousef had been
11 training members of Abu Sayyaf from the
12 birth of the group.

13 Do you have any information
14 about whether Yousef had provided
15 training to members of Abu Sayyaf?

16 A. No.

17 Q. After the 1993 attack on the
18 World Trade Center, can we agree that
19 Yousef came to the Philippines?

20 A. He was in the Philippines
21 when the Bojinka plot was discovered.

22 Q. And he was there at least
23 during the period of 1994 to 1995,
24 correct?

1 A. I think, yeah, too early
2 1995, if I remember correctly.

3 Q. And was he joined in the
4 Philippines by his uncle, Khalid Sheikh
5 Mohamed?

6 A. I believe so, at some point,
7 yeah.

8 Q. And do you know whether
9 Khalid Sheikh Mohamed was also involved
10 in the development of the Bojinka plot?

11 A. I believe so. That's what's
12 reported, if I remember correctly.

13 Q. And do you know whether
14 Ramzi and Khalid Sheikh Mohamed were also
15 joined in those efforts by Wali Khan Amin
16 Shah?

17 A. Wali Khan Amin Shah? That
18 name is cited in these reports. It
19 sounds like something that I dimly
20 remember. But the details of these
21 things are not very firmly lodged in my
22 memory, I'm afraid. But --

23 Q. Do you know who Wali Khan
24 Amin Shah was?

1 A. If memory serves, he was --
2 he's been cited as a figure who set up a
3 set of companies in Malaysia that were
4 linked to Jemaah Islamiyah.

5 Is that not the case? Is
6 that the same character, or am I thinking
7 of someone else?

8 Q. Well, why don't we turn to
9 Page 147 of the 9/11 Commission Report.

10 - - -

11 (Whereupon, Exhibit
12 Sidel-605, No Bates, Excerpts 9/11
13 Commission Report, was marked for
14 identification.)

15 - - -

16 BY MR. CARTER:

17 Q. And you'll see a reference
18 near the bottom that KSM and Yousef
19 enlisted Wali Khan Amin Shah, also known
20 as Usama Asmurai, in the Manila air plot.

21 Do you see that?

22 A. Yes.

23 Q. And on Page 436 of the 9/11
24 Commission Report, there's a profile of

1 Wali Khan Amin Shah that says that he was
2 an associate of Osama bin Laden.

3 Does that refresh your
4 recollection?

5 A. No. Turkmen? He's Turkmen?
6 He's from Turkmenistan?

7 I thought this was -- the
8 name that is in my memory is someone who
9 is based in Malaysia. No?

10 Q. So you don't recall --

11 A. I'm clearly thinking of
12 somebody else.

13 Q. You don't recall having come
14 across information in your studies of the
15 Bojinka plot that a bin Laden lieutenant,
16 an al-Qaeda named Wali Khan Amin Shah
17 worked with Ramzi Yousef and Khalid
18 Sheikh Mohamed on the development of
19 Bojinka?

20 A. All I remember is that there
21 were names other than Ramzi Yousef and
22 Khalid Sheikh Mohamed, that there were a
23 few obscure individuals whose backgrounds
24 and affiliations were not something I

1 knew a great deal about. They were not
2 Southeast Asians. It was not connected
3 to the local organizations and groups and
4 individuals otherwise under, you know,
5 consideration here.

6 So I'm afraid that my
7 knowledge and, you know -- no
8 investigation of this guy's background.
9 I did not do my homework on who this guy
10 was.

11 MR. CARTER: If we could
12 mark as the next exhibit the
13 excerpts from the Michael Scheuer
14 book that are at Folder 29.

15 - - -

16 (Whereupon, Exhibit
17 Sidel-606, No Bates, Michael
18 Scheuer, Osama bin Laden Excerpts,
19 was marked for identification.)

20 - - -

21 BY MR. CARTER:

22 Q. Professor Sidel, do you know
23 who Michael Scheuer is?

24 A. Wasn't Michael Scheuer a CIA

1 build training camps.

2 Do you see that?

3 A. Yes.

4 Q. Do you recall having come
5 across information previously that Wali
6 Khan Amin Shah was an advance man for bin
7 Laden, who was sent to places where
8 al-Qaeda was considering attacks?

9 A. A very, very dim
10 recollection of his name.

11 Q. Given the information you've
12 seen about his participation in the
13 development of the Bojinka plot, would
14 you agree that al-Qaeda had a role in the
15 development of that plot?

16 MR. NASSAR: Objection.

17 THE WITNESS: In 1994, 1995
18 al-Qaeda's involved in -- it
19 sounds kind of strange to me,
20 considering the absence of
21 evidence that I've otherwise heard
22 of, that al-Qaeda is involved in
23 something like this prior to 1998.

24 MR. NASSAR: Sean, I think

7 If the answer is no, that's
8 fine.

9 THE WITNESS: I really don't
10 know. I mean, there's -- my
11 understanding was that Khalid
12 Sheikh Mohamed was not a member of
13 al-Qaeda, or Ramzi Yousef for that
14 matter. I'm not a specialist on
15 al-Qaeda and on the history,
16 clearly. I only dimly remember
17 Wali Khan Amin Shah and had
18 mistaken him for a Malaysian --
19 someone with a similar name based
20 in Malaysia working for Jemaah
21 Islamiyah.

22 So I don't know what to say,
23 really.

24 It seems strange to me,

1 Do you see that?

2 A. Yes.

3 Q. And I am correct that you
4 continue to hold all of those opinions as
5 we sit here today?

6 A. Yes.

7 Q. I'd like to break down that
8 set of opinions in pieces and discuss it
9 a little bit.

18 A. From what I've read and
19 understood, the activities of these
20 conspirators in Manila is independent of
21 that broader context, yes. They're not
22 reliant on a broader support network.

1 A. 1994, 1995, there are small
2 numbers of men associated with Abu Sayyaf
3 in parts of Basilan and maybe in the
4 Sulu -- in Sulu. But I think in -- just
5 in Basilan, operating within a very
6 restricted band of the country, you know,
7 a far-flung -- a single island, part of
8 an island, and operating on what they
9 call pump boats between islands in that
10 part of the country.

11 Q. And I think you testified
12 earlier that you're not an expert on
13 operational aspects of terrorist attacks.

14 So I'm correct that you
15 wouldn't have a view on the particular
16 kinds of support that would be necessary
17 to carry out a plot to assassinate the
18 president of the United States or the
19 Pope on foreign soil, do you?

20 A. I'm not sure what kind of
21 expertise that would be. You'd have -- I
22 assume you would have to be involved in
23 that kind of activity or in
24 counterterrorism, counterintelligence,

1 counter -- you know, work for the Secret
2 Service, perhaps.

3 So it doesn't sound like
4 expertise that I -- I can claim.

5 Q. Did you consider, in
6 developing your opinions, the possibility
7 that Ramzi Yousef chose the Philippines
8 because he had a relationship with
9 Abdurajak Janjalani and could draw on Abu
10 Sayyaf Group resources to support the
11 attacks he was planning to develop?

12 A. I'm sorry, but that seems
13 highly implausible.

14 The Abu Sayyaf Group,
15 so-called, it is limited in its
16 experience, its access, its -- what's the
17 word -- it's protection -- it's capacity
18 for operation to a remote part of the
19 Philippines.

20 If members of this Abu
21 Sayyaf Group were to arrive in Manila,
22 they wouldn't speak the right language,
23 they wouldn't know how to get around,
24 they wouldn't -- they would stand out

1 like a sore thumb and would be the least
2 qualified, least capable people you could
3 imagine in trying to undertake something
4 in the urban context of metro Manila.

5 I have a hard time thinking
6 that they would be useful co-conspirators
7 in that context. They would be
8 potentially helpful for undertaking a
9 hijacking of a fishing boat or, you know,
10 bombing a church, the things they had
11 experience doing.

12 But this kind of highly
13 sophisticated international ambitious
14 plot, it just seems like a non sequitur.

15 Q. And do you agree that
16 Mohamed Jamal Khalifa was in the
17 Philippines during this time period as
18 well?

19 MR. NASSAR: Objection.

20 What time period?

21 MR. CARTER: 1993 to 1995.

22 THE WITNESS: I've been
23 shown a letter that showed that he
24 had resigned from his position as

1 of 1993.

2 BY MR. CARTER:

3 Q. I was asking a slightly
4 different question.

5 Do you know whether he
6 remained in the Philippines during this
7 time period?

8 A. I don't. I don't recall.

9 It may have been something that I read
10 months ago in the course of preparing
11 this report.

12 But right at this moment, I
13 don't recall that. And I -- I don't
14 recall that information. I have not
15 reviewed the detail of his presence
16 during these months.

17 Q. And even beyond his specific
18 role to IIRO, do you recall seeing
19 information that Khalifa had established
20 a broader collection of charities and
21 businesses in the Philippines to support
22 terrorist operations?

23 A. I recall seeing a list of
24 IIRO coordinated activities, disparities

8 Q. And turning to the six-year
9 time gap you refer to between the
10 disruption of the Bojinka plot and 9/11,
11 when did Khalid Sheikh Mohamed first
12 propose the planes operation that would
13 become 9/11 to Osama bin Laden?

14 A. If memory serves, it was
15 1998 or '99.

16 Q. Let's turn to the 9/11
17 Commission, at Pages 148 to 149.

1 with bin Laden.

2 Do you see that?

3 A. Yes.

4 Q. And the 9/11 Commission
5 says, At that meeting KSM presented the
6 al-Qaeda leader with a menu of ideas for
7 terrorist operations?

8 A. In '96?

9 Q. Yes.

10 And now turning to the first
11 full paragraph of the next page, it says
12 that, KSM briefed bin Laden and Atef on
13 the first World Trade Center bombing, the
14 Manila air plot, the cargo carriers plane
15 and other activities pursued by KSM and
16 his colleagues in the Philippines. KSM
17 also presented a proposal for an
18 operation that would involve training
19 pilots who would crash planes into
20 buildings in the United States. This
21 proposal eventually would become the 9/11
22 operation.

23 Do you see that?

24 A. Yes.

1 Q. So according to this account
2 from the 9/11 Commission, Khalid Sheikh
3 Mohamed presented the plan for the 9/11
4 operation to bin Laden in 1996, correct?

5 A. Yes, which then raises
6 questions about the idea that it had
7 somehow been an al-Qaeda, you know,
8 conspiracy a few years earlier.

9 MR. NASSAR: And I'm going
10 to object to that, Sean. Rule of
11 completion. I think you need to
12 show him the later sections on the
13 '98, '99 meetings.

14 MR. CARTER: Okay. Well, we
15 can get to those in due course.

16 BY MR. CARTER:

17 Q. I'm focused, Professor, on
18 your particular statement that there's an
19 unexplained six-year gap between the two
20 operations.

21 And as we see here, the gap
22 between the disruption of the Manila
23 Bojinka plot and the presentation of 9/11
24 to bin Laden was a much shorter period.

1 conduct of the September 11th
2 attacks.

3 MR. NASSAR: That's fine.

4 And, Professor Sidel, what I
5 would say, because I know this is
6 confusing with a document in your
7 face on Zoom, parts of it
8 highlighted, other parts
9 neglected.

10 And he's referring back to
11 your report. So if you hear Mr.
12 Carter referring to your words in
13 your report, I would refer back
14 to -- I would refer back to your
15 report and make sure that you have
16 the proper location flagged so
17 that you can refer to it.

18 THE WITNESS: Thank you.

19 BY MR. CARTER:

20 Q. Okay. So in terms of
21 whether or not Bojinka was in some way a
22 precursor to 9/11, the period of time
23 between the disruption of that and when
24 Khalid Sheikh Mohamed proposed the 9/11

1 operation to bin Laden was something in
2 the range of a year, correct?

3 A. From the sound of it, yes.

4 Q. And --

5 A. But it's a briefing. So it
6 sounds like he -- from what we read here,
7 he tells him, this is what we were coming
8 up with, this is what we were thinking.

9 Q. Well, I mean, Professor,
10 you're critical of the plaintiffs'
11 experts for calling Bojinka a
12 precursor --

13 A. Directly.

14 Q. -- and I believe -- okay. A
15 direct precursor.

16 And I believe what they are
17 explaining is that the development of the
18 Bojinka plot led very directly to the set
19 of ideas that would become 9/11.

20 And do you agree that the
21 time period between disruption of Bojinka
22 and the presentation of the idea of 9/11
23 to bin Laden was a much shorter period
24 than six years?

1 that.

2 MR. CARTER: That's all I
3 have. Thank you for your time,
4 Professor Sidel. I appreciate it.

5 THE WITNESS: Thank you.

6 MR. NASSAR: Thanks,
7 Professor Sidel.

8 THE WITNESS: Thank you.

9 VIDEO TECHNICIAN: This ends
10 today's deposition. We're going
11 to go off the record at 11:43 a.m.

12 - - -

13 (Whereupon, the deposition
14 concluded at 11:43 a.m.)

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CERTIFICATE

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I, Amanda Maslynsky-Miller, Certified
Realtime Reporter, do hereby certify that
prior to the commencement of the examination,
JOHN SIDEL, was remotely sworn by me to
testify to the truth, the whole truth and
nothing but the truth.

7

I DO FURTHER CERTIFY that the foregoing is a
verbatim transcript of the testimony as taken
stenographically by me at the time, place and
on the date hereinbefore set forth, to the
best of my ability.

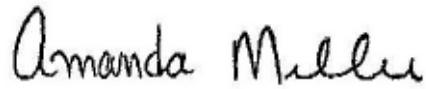
10

I DO FURTHER CERTIFY that I am neither a
relative nor employee nor attorney nor
counsel of any of the parties to this action,
and that I am neither a relative nor employee
of such attorney or counsel, and that I am
not financially interested in the action.

14

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17

Amanda Miller

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Certified Realtime Reporter

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Dated: May 12, 2021

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